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## TRANSMITTAL FORM

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Total Number of Pages in This Submission

Application Number	10/765,430
Filing Date	January 26, 2004
First Named Inventor	Guillermo J. Tearney
Art Unit	3737
Examiner Name	To be assigned
Attorney Docket Number	036140/US - 475387-00020

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
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<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Dorsey & Whitney, L.L.P.		
Signature			
Printed name	Gary Abelev, Esq.		
Date	June 19, 2006	Reg. No.	Reg. No. 40,479

### CERTIFICATE OF TRANSMISSION/MAILING

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Signature			
Typed or printed name	Gary Abelev, Esq.	Date	June 19, 2006

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036140/US - 475387-00020 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s) : Guillermo J. Tearney et al.

Serial No. : 10/765,430

Filed : January 26, 2004

Entitled : SYSTEM AND METHOD FOR IDENTIFYING TISSUE USING  
LOW-COHERENCE INTERFEROMETRY

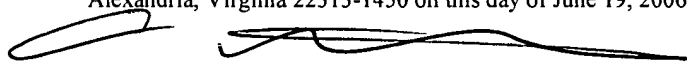
Group Art Unit : 3737

Examiner : To be assigned

INFORMATION DISCLOSURE STATEMENT

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(Signature)

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents listed on the attached Form PTO 1449, and respectfully request that the listed documents be considered by the Examiner and made of record in the above-captioned application. Copies of the United States patent references listed on the Form PTO-1449 are not enclosed, but the PCT, foreign and non-patent references are enclosed.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If the Examiner applies the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under

United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of the documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

This submission is being filed before any action by the U.S. Patent and Trademark Office on the merits. Therefore, applicants do not believe that any fee is due in connection with the submission of this paper. However, if any fee is due, or if any overpayment has been made, the Commissioner is authorized to charge any such fee or credit any overpayment, to our Deposit Account No. 50-2054.

Respectfully submitted,

**DORSEY & WHITNEY, LLP**



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4848-5070-310411

Form PTO-1449 U.S. Department of Commerce  
(REV. 2-82) Patent and Trademark Office

Atty. Docket No.  
036140/US - 475387-00020

Serial No.  
10/765,430

**INFORMATION DISCLOSURE STATEMENT  
BY APPLICANT**

(Use several sheets if necessary)

Applicant(s)  
Guillermo J. Tearney

Filing Date  
January 26, 2004

Group  
3737



**U.S. PATENT DOCUMENTS**

*Exam. Init.	Document No.	Date	Name	Class	Subclass	Filing Date if Appropriate
	2002 0 1 2 2 2 4 6	September 5, 2002	Tearney et al. **			
	6 6 8 7 0 1 0	February 2004	Horii et al.			
	4 5 8 5 3 4 9	April 29, 1986	Gross et al.			
	5 8 1 7 1 4 4	October 6, 1998	Gregory			
	5 8 4 3 0 0 0	December 1, 1998	Nishioka et al.			
	6 0 5 3 6 1 3	April 25, 2000	Wei et al.			
	6 0 0 4 3 1 4	December 21,	Wei et al.			
	4 2 9 5 7 3 8	October 20, 1981	Meltz et al. **			
	4 3 0 0 8 1 6	November 17,	Snitzer et al. **			
	4 7 7 0 4 9 2	September 13, 1988	Levin et al. **			

**FOREIGN PATENT DOCUMENT**

Document No.	Date	Country	Class	SubClass	Translator Yes No
0 2 3 8 0 4 0	May 16, 2002	WIPO**			
1 4 2 6 7 9 9	June 9, 2004	European **			
1 9 5 4 2 9 5 5	May 22, 1997	Germany **			
0 3 0 6 2 8 0 2	July 31, 2003	WIPO**			
9 5 3 3 9 7 1	December 14, 1995	WIPO**			

\*\* References cited in International Search Report

**OTHER DOCUMENTS (including Author, Title Date, Pertinent Pages, Etc.)**

International Written Opinion for International Patent application No. PCT/US2005/043951.

Examiner

Date Considered

\* Examiner: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449 U.S. Department of Commerce  
(REV. 2-82) Patent and Trademark Office

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		International Search Report for International Patent application No. PCT/US2005/043951.
		Erdelyi et al. "Generation of diffraction-free beams for applications in optical microlithography", J. Vac. Sci. Technol. B 15 (12), Mar/Apr 1997, Pages 287-292.
		International Search Report for International Patent application No. PCT/US2005/023664.
		International Written Opinion for International Patent application No. PCT/US2005/023664.
		Tearney et al., "Spectrally encoded miniature endoscopy" Optical Society of America; Optical Letters Vol. 27, No. 6, March 15, 2002; pages 412-414
		Yelin et al., "Double-clad Fiber for Endoscopy" Optical Society of America; Optical Letters Vol. 29, No. 20, October 16, 2005; pages 2408-2410
		International Search Report for International Patent application No. PCT/US2001/049704.
		International Search Report for International Patent application No. PCT/US2004/039454.
		International Written Opinion for International Patent application No. PCT/US2004/039454.
		PCT International Preliminary Report on Patentability for International Application No. PCT/US2004/038404 dated June 2, 2006

4825-6817-8945\1

Examiner

Date Considered

\* Examiner: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.